

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Steven M. Vartabedian, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Yolanda I. Grigsby, Deputy Clerk.

F026978 In re the Marriage of Hall

Cause called and argued by Edward J. Thomas, Esq., counsel for appellant and by Thomas Paine Dunlap, Esq., counsel for respondent.

Cause ordered submitted.

F028449 People v. Mohammad, Sr.

F029387 In re Mohammad, Sr. on Habeas Corpus

Cause called and argued by Robert Navarro, Esq., counsel for appellant and by Matthew L. Cate, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F030700 In re Scott G., a Minor

Cause called and argued by Kenneth H. Nordin, Esq., counsel for appellant. Eric L. Christoffersen, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, March 19, 1999 at 10:00 A.M.

F030501 People v. Robertson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029739 People v. Angala

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F029665 People v. Boston

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F026682 Kennedy et al. v. Pine Mountain Property Owners Assoc., Inc. et al.

The judgment is affirmed, with costs on appeal to respondents.
Stone (W.A.), Acting P.J.

We concur: Dibiaso, J.; Thaxter, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028585 People v. Davis

The judgment of conviction is affirmed. The sentence is reversed and the matter remanded for resentencing in accordance with the views set forth herein, which we summarize as follows: (1) on count 4, appellant is not subject to sentencing under section 667.71; (2) the court may, in its discretion under the three strikes law, impose consecutive sentences on counts 1, 2, 3, 4 and 5; (3) sentencing under section 667.71 on counts 1, 2 and 3 is discretionary rather than mandatory; and if the court chooses to sentence under section 667.71, it must, pursuant to the three strikes law, double the terms so imposed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029658 People v. Garcia

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F031150 In re Armando M., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F030483 People v. January

Appellant's petition for rehearing filed herein is denied.

F032252 People v. Barriga

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F032222 People v. Diaz

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F032617 Maria C. v. Superior Court of Kern County

No petition for extraordinary writ having been filed, the above entitled action is dismissed as abandoned.

F030354 People v. Ramirez

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F030492 People v. Clark, Jr.

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F032653 Denne F. v. Superior Court, Kern Co.; Dept. Human Services

There having been no petition filed in the above-entitled matter, the cause is dismissed.

F029683 McLean v. County of Kings

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the submission of the above entitled case is vacated and the appeal is dismissed. The remittitur shall issue forthwith. Each party is to bear their own costs.

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**F032651 Charles B. v. The Superior Court of Fresno County; Fresno County
Department of Children and Family Services**

No petition for extraordinary writ having been filed, IT IS
HEREBY ORDERED that the appeal in the above-entitled action is
dismissed as abandoned.

F031056 In re Gerardo H., a Minor

Counsel having failed to request oral argument in the above-entitled
case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.

F031904 Marriage of Threatt

Appellant having filed an abandonment and/or request for dismissal
of appeal, IT IS HEREBY ORDERED that the appeal in the above-
entitled action is dismissed.